

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF WEST VIRGINIA  
WHEELING DIVISION**

MARK MCEVOY, et al., individually and  
on behalf of a proposed class,

Plaintiffs,

v.

Civil Action No. 5:22-cv-171  
The Honorable John P. Bailey

DIVERSIFIED ENERGY COMPANY PLC,  
et al.,

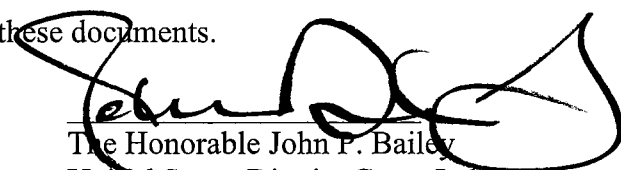
Defendants.

**STIPULATION AND AGREED ORDER PURSUANT TO FED. R. EVID. 502(d) FOR  
THE PRODUCTION OF UNREDACTED CLIENT REPRESENTATION  
AGREEMENTS WITHOUT WAVIER**

Pursuant to Federal Rule of Evidence 502(d) Plaintiffs and Defendants Diversified Energy Company PLC, Diversified Gas & Oil, PLC, Diversified Oil and Gas LLC, Diversified Production LLC, Diversified Gas & Oil Corporation, and Alliance Petroleum Corporation (collectively, “Diversified”) hereby stipulate to the production of specific documents without waiver of attorney-client, attorney-work product, or other privilege. Those documents have been Bates Stamped PLAINTIFF006092—PLAINTIFF006216 and are being produced in an effort to resolve a discovery dispute as to whether redactions were applied appropriately.

As such, the Court hereby ORDERS that Plaintiffs produce within seven (7) days documents Bates Stamped PLAINTIFF006092—PLAINTIFF006216 without redaction. No waiver of privilege shall result from the production of these documents.

Date: 5/8/2023

  
The Honorable John P. Bailey  
United States District Court Judge

**Dated: May 5, 2023**

**Agreed by:**

/s/ J. Michael Becher

**J. Michael Becher** (WVSB #10588)

Joseph M. Lovett, (WVSB #6926)

Appalachian Mountain Advocates

P.O. Box 507 Lewisburg, WV 24901

Telephone: (304) 645-9006

Email: [jlovett@appalmad.org](mailto:jlovett@appalmad.org)

Email: [mbecher@appalmad.org](mailto:mbecher@appalmad.org)

John W. Barrett, Esq. (WVSB#7289)

**BAILEY & GLASSER, LLP**

209 Capitol Street

Charleston, West Virginia 25301

Telephone: (304) 345-6555

Facsimile: (304) 342-1110

Email:

[Bglasser@baileyglasser.com](mailto:Bglasser@baileyglasser.com)

Email:

[Jbarrett@baileyglasser.com](mailto:Jbarrett@baileyglasser.com)

***Attorneys for Plaintiffs and Proposed Class***

/s/Kenneth A. Young

**Kenneth A. Young**

Kirkland & Ellis LLP - Houston

609 Main Street

Houston, TX 77002

(713) 836-3636

Fax: (713) 836-3601

Email: [kenneth.young@kirkland.com](mailto:kenneth.young@kirkland.com)

**Howard M. Persinger, III** (WVSB #6943)

**PERSINGER & PERSINGER, L.C.**

237 Capitol Street

Charleston, WV 25301

Telephone: (304) 346-9333

Facsimile: (304) 346-933 7

Email: [hmp3@persingerlaw.com](mailto:hmp3@persingerlaw.com)

***Counsel for Defendants Diversified Energy Company, PLC; Diversified Gas & Oil, PLC; Diversified Production LLC; Diversified Gas & Oil Corporation; Diversified Oil and Gas LLC; and Alliance Petroleum Corporation.***